IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO : 14078 of 1994

Between:

B.Satya Murthy, S/o. B.Ramalinga Sastry,
Vijayawada.

..... PETITIONER

AND

1 The A.P. State Electricity Board, rep.by it's secretary,
Vidyuth Soudha, Kairatabad,
Hyderabad.
2 Special Inspector Generral and Adviser(Vegilance &Security) A.P.State Electricity Board,
Vidyuth Soudha, Kairatabad,
Hyderabad.
3 Sri Ch.S.V.Prasada Rao, Security Head Gard,
Nellore Thermal Station, Kovur,
Nellor Dist.
4 Sri V.B.P.Raju,Security Head Guard,Vijayawada Thermal Power Station,
Ibrahimpatnam, Vijayawada.
5 Sri G.N.Murthy,Security Head Guard,Vijayawada Thermal Power Station,
Ibrahimpatnam, Vijayawada.
6 Sri J.Venkataramamanaiah,Security Head Guard,Vijayawada Thermal Power Station,
Ibrahimpatnam, Vijayawada.
7 Sri P.Shyam Sunder Rao,Security Head Guard,Vijayawada Thermal Power Station,
Ibrahimpatnam, Vijayawada.
8 Sri T.vasunder Kumar,Security Head Guard,Upper Sileru Hydro Electric Station,
Sileru, Visakahapatnam Dist.
9 Sri K.Raja Lingam,Security Head Guard,Kottagudem Termal power Station,
Palancha, Khammam dist.
10 Addl. Superintendent of Police&,SecurityOfficer Vijayawada Thermal Power Station,

Ibrahimpatnam, Vijayawada.
11 Addl. Superintendent of Police&,SecurityOfficer KothagudemThermal Power Station,
Kottagudem, Paloncha.
12 Addl. Superintendent of Police&,SecurityOfficer A.P.S.E.B.
Kurnool .

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ more particularly one in the nature of Writ of Mandamus declaring the Memo. No.Spl. IF&A/V&S/255/VC2(A)/94 dt.20.7.1994 issued by the 2nd respondent as illegal, arbitrary and without jurisdiction and consequently direct the respondents to promote the petitioner and other employees who attended the written test, interview and parade test on 30.4.1999 and promote them on the basis of the merit ranking obtained in the said selection with retrospective effect and grant such other relief or reliefs as this Hon'ble court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondent No.: MR.S.RAVINDRANATH

The Court made the following :

O r d e r:

The decision of the respondents 1 and 2 in promoting respondents 3 to 9 as Security Sub-Inspectors is impugned in this writ petition on various grounds. It was mainly contended that the selection and appointment as Security Sub-Inspectors was made without any rationale basis. The criteria for effecting such promotions is not known.

In the counter-affidavit, it is conceded that the post of Security Sub-Inspector is a selection post and the appointments were made on the basis of merit. That pursuant to the Judgment of this Court dated 18-8-1993 the cases of all the Security Head Guards including that of the petitioner who passed the test held in 1990 were considered for consideration for promotion as Security Sub-Inspectors. The Departmental Promotion Committee met on 18-7-1994 and considered the cases of all the eligible Security Head Guards including the petitioners and having made the assessment of each of the candidates who

claimed promotion, the Departmental Promotion Committee selected respondents 3 to 9 as Security Sub-Inspectors on the basis of merit-cum-seniority. The procedure adopted by the Departmental Promotion Committee is not impugned as such.

It is well settled that this Court does not exercise any appellate jurisdiction over the decision of the Departmental Promotion Committee. Nothing is demonstrated that the decision making process of the Departmental Promotion Committee is vitiated by any error apparent on the face of the record. In the absence of any such plea and proof, it becomes difficult for this Court to interfere with the decision of the Departmental Promotion Committee.

For the aforesaid reasons, I find no merit in this writ petition and the same shall stand accordingly dismissed. No costs.

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B.Sudershan Reddy, J.

grr